

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**RALPH SMITH and IGNATIUS
HARRIS, individually and on behalf of
all others similarly situated,**

Plaintiffs

v.

**ALLEGHENY TECHNOLOGIES, INC.,
and STROM ENGINEERING
CORPORATION,**

Defendants.

CIVIL ACTION NO. 17-CV-00911

JUDGE MARK R. HORNAK

ELECTRONICALLY FILED

NOTICE OF APPEAL

Notice is hereby given that Ralph Smith and Ignatius Harris, individually and on behalf of all others similarly situated, (plaintiffs) in the above named case, hereby appeal to the United States Court of Appeals for the Third Circuit from the February 28, 2017 Order granting Defendant Allegheny Technologies Inc.'s Motion to Dismiss for Failure to State a Claim and dismissing Counts I-IV of Plaintiff's Complaint with prejudice.

Dated: March 30, 2018

Respectfully submitted,

/s Sarah R. Schalman-Bergen
Shanon J. Carson (PA 85957)
Sarah R. Schalman-Bergen (PA 206211)
Michaela Wallin (NY 5269527) (*pro hac vice*)
BERGER & MONTAGUE, P.C.
1622 Locust Street
Philadelphia, PA 19103
Telephone: (215) 875-3053
Facsimile: (215) 875-4604
scarson@bm.net
sschalman-bergen@bm.net
mwallin@bm.net

Michael K. Yarnoff (PA # 62222)*
KEHOE LAW FIRM

Two Penn Center Plaza
1500 JFK Boulevard, Suite 1020
Philadelphia, PA 19102
Telephone/Fax: (215) 792-6676
myarnoff@kehoelawfirm.com

**pro hac vice* to be filed

Attorneys for Plaintiffs and the Proposed Classes

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed via ECF and is available to the parties' counsel of record for download and viewing.

By: s/ Sarah R. Schalman-Bergen
Sarah R. Schalman-Bergen